

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

AMENDMENT TO

LOCAL RULE 5(c) MISC. #7673

ORDER

Effective this date, Local Rule 5(c) of the United States District Court for the District of Rhode Island is amended as follows by Order of the Court:

RULE 5(c)

(c) **Admissions Pro Hac Vice.** Attorneys who are not members of the bar of this Court but who are members in good standing of the bar of another state and the bar of another Federal District Court, for good cause shown upon written motion of a party, may, in the Court's discretion, be admitted pro hac vice to represent that party in a given case, in accordance with this rule. As used herein, good cause refers to circumstances affecting the personal or financial welfare of the client, such as the following: (a) complex field of law in which the attorney is a specialist; (b) the attorney's long-standing representation of the client; (c) lack of experience of the local trial bar in the field; (d) complex legal questions under the law of a foreign jurisdiction; (e) the need for extensive discovery proceedings in a foreign jurisdiction; or (f) in a criminal case, the attorney is defendant's counsel of choice.

(1) **Motion for Admission.** A party seeking the admission of an attorney pro hac vice must complete and submit to the Court a motion for entry of appearance pro hac vice on a form available from the clerk, to include (a) the name and number of the case in which the attorney wishes to be admitted and the grounds for the motion; (b) the attorney's full name, firm name, address, telephone number and fax number; (c) a certification that the attorney is a member in good standing of the bar of another state and of the bar of another Federal District Court; (d) the name and number of other cases in this district in which the attorney is currently admitted and the name and number of each other case in this district in which the attorney has applied to be admitted in the preceding 24 months; (e) a certification that the attorney agrees to observe and to be bound by the local rules and orders of this Court and Rhode Island Rules of Professional Conduct; (f) the name, firm name, address, Rhode Island state bar identification number, telephone number, and fax number of a local member of this Court's bar who is actively engaged in the practice of law in Rhode Island and maintains an office in Rhode Island for that practice, and who will serve as local associate counsel, with whom the Court may communicate regarding the case, upon whom all papers in the case shall be served, and who shall be responsible to the Court for the conduct of the case; and (g) a certification by both the attorney and local associate counsel that they will comply fully with this rule in its entirety and specifically as it relates to the participation of local associate counsel.

(2) **Participation of Local Associate Counsel.** Unless excused by this Court, local associate counsel shall (a) sign and be responsible to the Court for the content of all pleadings, motions, and other papers filed or served in the case; (b) certify in all non-dispositive motions that counsel for the parties, including local associate counsel have conferred in good faith to attempt to resolve disputes before filing such motions; (c) attend all Court proceedings in the case; and (d) be responsible to the Court for the conduct of the case. Whenever pro hac vice counsel is not present, local associate counsel shall have the responsibility and authority to act for and on behalf of the client in all proceedings in connection with the case, including hearings, pretrial conferences, and trial. In order to effectuate this rule, pro hac vice counsel shall fully and timely consult with, involve, and inform local associate counsel respecting all significant developments in the case.

(3) Disqualification of Pro Hac Vice Counsel. Counsel admitted pro hac vice may be disqualified upon motion of the Court or other parties in the case for failure to fulfill the requirements of this rule or when the proper administration of justice so requires.

ENTER:

_____ Date: _____

Ronald R. Lagueux, Chief Judge

_____ Date: _____

Ernest C. Torres, District Judge

_____ Date: _____

Mary M. Lisi, District Judge

_____ Date: _____

Francis J. Boyle, Senior Judge
